



August 29, 2006

The Honorable Charles L. A. Terreni
Chief Clerk and Administrator
Public Service Commission of South Carolina
P. O. Drawer 11649
Columbia, South Carolina 29211

RE: Beatrice Weaver
Docket No. 2004-219-E

Dear Mr. Terreni:

Mrs. Weaver recently made two filings with the Commission that appear to assume that she is entitled to a hearing before the Commission regarding her claim that she is not responsible for the outstanding balance associated with her residence and that the Commission should order Progress Energy Carolinas, Inc. ("PEC") to restore service to her home. Given that: the Commission issued a Directive on April 4, 2006 approving a motion by Commissioner (now Chairman) Hamilton to dismiss this matter without prejudice, on the grounds that "it has become apparent that Mrs. Weaver is currently either unable or unwilling to go forward and prosecute her case to its conclusion"; and the issue of Mrs. Weaver's responsibility for the past due debt is the subject of a lawsuit to be heard by the courts in October, it would appear that this assumption is not warranted. However, according to the Commission's agenda for August 30, 2006, the Commission is considering the appointment of a hearing examiner in the above-referenced docket.

Progress Energy Carolinas, Inc. (PEC) believes there is no need to appoint a hearing examiner for a matter that has already been closed by the Commission. The Commission has already gone to extraordinary lengths (as described in its April 4 Directive) to accommodate Mrs. Weaver's past demands. At this time it is appropriate to either allow this matter to be resolved by the Courts, which will occur shortly, or require Mrs. Weaver to file another formal complaint when her health permits her to proceed with prosecuting the case in a timely fashion (provided the issues have not previously been ruled upon and are within the Commission's jurisdiction). For now, there does not appear to be a proper role for a hearing examiner.

Sincerely,

/s/

Len S. Anthony
Deputy General Counsel – Regulatory Affairs

cc: Beatrice Weaver

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